APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,548	08/20/2008	William Roberts	356952.00046-US	2643

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Saul Ewing LLP (Philadelphia)
Attn: Patent Docket Clerk
Penn National Insurance Plaza
2 North Second St., 7th Floor
Harrisburg, PA 17101

EXAMINER
TRUONG, LECHI

ART UNIT	PAPER NUMBER
2194	

MAIL DATE	DELIVERY MODE
07/01/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Advisory Action **Before the Filing of an Appeal Brief**	10/595,548	ROBERTS, WILLIAM
	Examiner	Art Unit
	LECHI TRUONG	2194

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>3</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☒ The period for reply expires <u>3</u> months from the mailing date of the final rejection.

   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

   (a)☐ They raise new issues that would require further consideration and/or search (see NOTE below);

   (b)☐ They raise the issue of new matter (see NOTE below);

   (c)☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d)☐ They present additional claims without canceling a corresponding number of finally rejected claims.

      NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: *none*.

   Claim(s) objected to: *none*.

   Claim(s) rejected: *1 and 4-10*.

   Claim(s) withdrawn from consideration: *2 and 3*.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.

12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____.

13. ☐ Other: _____.

/LeChi Truong/
Primary Examiner, Art Unit 2194

Continuation of 11. does NOT place the application in condition for allowance because: Response to the argument:

1.   Applicant amendment filed on 06/22/2010 has been considered but they are not persuasive:

Applicant argued in substance that :
 (1) "   Nothing in Voellm gives any teaching or suggestion of using the relocation instructions in the DLL to modify the export data table of the DLL itself, so that the relocation instruction inserts into the export data table the address location for the function in the additional DLL".

2.   Examiner respectfully disagreed with Applicant's remarks:
          As to the point (1),   The limitation of "using the relocation instructions in the DLL" was not in the claim. The claim recites " the relocation instruction to insert into the export data table the address location for the function in the further dynamic link library, and a call by the application program to link to the function in the first dynamic link library jumps directly to the address location for the function in the further dynamic link library using the address location inserted into the export data table without the use of a sub-routine in the remapping component". Stern teaches FIG. 2A is a diagram illustrating the inclusion of a branch table 202 in a parent DLL, the third DLL 112 of FIG. 1. Each parent DLL may be created to include a dummy address associated with each possible child DLL that may be executed. More particularly, as shown, in a first entry 204 of the branch table 202, if the child DLL to be executed is determined to be the fourth DLL (DLL4), a branch or jump instruction is provided with a dummy address, shown here to be "XXX." Similarly, in a second entry 206 of the branch table 202, if the child DLL to be executed is determined to be the sixth DLL (DLL6), a branch or jump instruction is provided with another dummy address, col 3, ln 65-67 to col 4, ln 1-5/Upon loading of the DLLs, branch tables of the parent DLLs are updated as appropriate to replace dummy addresses with entry points of the appropriate child DLLs. FIG. 2B is a diagram illustrating the updating of the branch table provided in the parent DLL, the third DLL 112 of FIG. 1. As shown, the branch table 202 is updated to include an entry in the branch table 202 that identifies an entry point of one of the child DLLs. More particularly, the branch table 202 is updated such that the appropriate dummy address is replaced with an entry point of the corresponding child DLL. As shown in FIG. 2B in the first entry 204, when the child DLL to be called is the fourth DLL, DLL4, and the jump address is "1000." However, as shown in the second entry 206, when the child DLL to be called is the sixth DLL, DLL6, the jump address is "2000." Thus, when the parent DLL is shared by two or more executable chains of DLLs, each child DLL is associated with one of the executable chains. In other words, it is necessary to specify which entry in the branch table is to be executed next when more than one entry exists in the branch table. This may be accomplished, for example, by associating a particular parameter with each of the executable chains, col 4, ln 15- 40/Once the chain is built, and the set of DLLs may be executed without requiring a main program (e.g., parent code module) responsible for calling each of the DLLs. Moreover, since the chain is built when the DLLs are loaded, the DLLs can be modified without requiring recompilation, col 5, ln 3-10/ if the child DLL to be executed is determined to be the sixth DLL (DLL6), a branch or jump instruction is provided with another dummy address, col 4, ln 12-16).

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